

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

KYLE WILLIAM BRENIZER TRUST, d/b/a
Kyle William Brenizer,

Civil No. 20-21 (JRT/TNL)

Plaintiff,

ORDER

v.

UNITED STATES OF AMERICA, et al.,

Defendants.

Kyle William Brenizer, Sherburne County Jail, 13880 Business Center Drive
N.W., Elk River, MN 55330, *pro se* plaintiff.

Based upon the Report and Recommendation by United States Magistrate Judge
Tony N. Leung dated June 25, 2021 (ECF No. 11), along with all the files and records, and
no objections to said Recommendation having been filed, **IT IS HEREBY ORDERED** that:

1. This action is **DISMISSED WITHOUT PREJUDICE** under Fed. R. Civ. P. 41(b)
for failure to prosecute.
2. Brenizer's Motion and Affidavit for Permission to Proceed *In Forma*
Pauperis (ECF No. 6) is **DENIED AS MOOT**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: September 16, 2021
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R. TUNHEIM
Chief Judge
United States District Court